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11/13/2008

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EXAMINER

WANG, JACK K

ART UNIT

PAPER NUMBER

2612

NOTIFICATION DATE

DELIVERY MODE

11/13/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 10/596,719 | Applicant(s) RUNCIMAN ET AL. | |
| | Examiner JACK WANG | Art Unit 2612 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of the Claims

1. In the amendment filed on August 08, 2008, claims 9-10 are newly added and no claim has been cancelled. Therefore, claims 1-10 are pending in the application.

Claim Objections

2. Claims 1, 5 and 7 are objected to because of the following informalities: improper use of period instead of comma at end of the sentence (Claim 1 line 4, Claim 6 line 7, and Claim 7 line 8). Appropriate correction is required.

3. Claim 2 is objected to because of the following informalities: lack of the period at end of the sentence.

4. Claims 2-5 and 8 are objected to because of the following informalities: improper use of term "An" instead of --the--. Appropriate correction is required.

5. Claims 6 and 7 are objected to because of the following informalities: typographical error. "..... a fire detector having means for emitting, upon a fire situation being detected,.....recognizing said characteristics a sound bomb;". For the purpose of art rejection below the claim has been interpreted as --..... a fire detector having means for emitting an audible or visible alarm signal[[,]] upon a fire situation being detected,..... recognizing said characteristics and activating a sound bomb;--. Appropriate correction is required.

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6. Claims 6 and 7 are objected to because of the following informalities: typographical error. The term “Helmhotz” has been interpreted as --Helmholtz--. Appropriate correction is required.

Drawings

7. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, all claimed subject matters need to be shown in drawing(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1, 3, 6, 7, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Griebell et al. (US Patent # 5,012,223).

Consider claim 1, Griebell et al. clearly shown and disclose an alarm device for use with a fire detector or fire detection system (smoke detector) which emits an audible or visual alarm signal on detecting a fire condition (Column 1 lines 44-48), the device including discriminating means (sound receiving device) (26, Fig. 3) for recognizing the audible or visual alarm signal and for activating a sound bomb (amplifier) (28, Fig. 3) upon recognition of the audible or visual alarm signal (Column 3 lines 29-31), wherein the alarm device is configured to be installed and to operate independently of the fire detector or the fire detection system (Column 3 lines 29-51).

Consider claim 2, Griebell et al. clearly shown and disclose the alarm device which includes means which enable it to learn characteristics of the audible or visual signal (Column 4 lines 57-68 and Column 5 lines 1-12).

Consider claim 3, Griebell et al. clearly shown and disclose the alarm device which includes a light emitting means (Column 1 lines 44-48).

Consider claim 6, Griebell et al. clearly shown and disclose a fire detection system (smoke detector) which comprises; a fire detector (smoke detector) (22, Fig. 3) having means for emitting an audible or visible alarm (audio output transmitting device) (24, Fig. 3) upon a fire

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situation being detected, an audible or visible signal having recognizable characteristics (Column 3 lines 13-18); and an alarm device including discriminating means for recognizing said characteristics and activating a sound bomb (output signal) (38, Fig. 3); and means for activating the sound bomb (output signal) (38, Fig. 3) upon said discriminating means detecting the audible or visible signal (sound input) with said recognizable characteristics, wherein the alarm device is configured to be installed and to operate independently of the fire detector or the fire detection system (Column 3 lines 29-51).

Consider claim 7, Griebell et al. clearly shown and disclose a fire detection system which comprises: a fire detector (smoke detector) (22, Fig. 3) having means for emitting audible or visible signal upon a fire situation being detected, an audible or visible signal having recognizable characteristics; a first alarm device (22, Fig. 3) including discriminating means recognizing (presence of smoke) said characteristics and emitting its own signal (audible analog signal) having recognizable characteristics (sound output signal) (Column 3 lines 13-18); and a second alarm device (receiving device) (26, Fig. 3), the second alarm device having discriminating means for recognizing the characteristics of the signal (sound output signal) of the first alarm device (smoke detector) (22, Fig.3) whereby the second alarm device (multi-burst detector) (36, Fig. 3) is activated by the signal of the first alarm device (smoke detector) (22, fig. 3), wherein each of the first alarm device (smoke detector) (22, Fig. 3) and the second alarm device (multi-burst detector) is configured to be installed and to operate independently of the fire detector (Column 3 lines 29-51).

Consider claim 8, Griebell et al. clearly shown and disclose the alarm device which includes comprises a light emitting means (Column 3 lines 7-11).

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Consider claim 9, Griebell et al. clearly shown and disclose an alarm device for use with a fire detector or fire detection system which emits an audible or visual alarm signal on detecting a fire condition, the alarm device comprising: a housing (12, Fig. 2) configured to be installed independently of the fire detector or the fire detection system (smoke detector) (22, Fig. 3); a sound bomb (output signal) (38, Fig. 3) located in the housing (12, fig. 2), a microphone (sound receiving device) (26, Fig. 3); and discriminator circuitry (28-37, Fig. 3) coupled with the microphone (sound receiving device) (26, Fig. 3) and the sound bomb (output signal) (38, Fig. 3), wherein the discriminator circuitry (28-37, Fig. 3) is configured to recognize the audible or visual alarm signal and to activate the sound bomb (Column 3 lines 29-51).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Griebell et al. (US Patent # 5,012,223) as applied to claim 3 above, and further in view of Wang (US Patent # 6,011,465).

Consider claim 4, Griebell et al. teaches similar invention, except the alarm device, wherein the light emitting means is a strobe light.

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In the same field of endeavor, Wang teaches the alarm device, wherein the light emitting means is a strobe light (Column 3 lines 27-46) for the benefit of providing more effective warning light.

Therefore, it would have been obvious to a person of ordinary skill in the art at time the invention was made to include the alarm device, wherein the light emitting means is a strobe light as shown in Wang, in Griebell et al. for the benefit of providing more effective warning light.

12. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Griebell et al. (US Patent # 5,012,223) as applied to claim 1 above, and further in view of Routman et al. (US Patent # 5,349,338).

Consider claim 5, Griebell et al. teaches similar invention, except the alarm device, further comprising a recording and playback means on which a message can be recorded and means for actuating the recording and playback means upon the sound bomb being activated so that the message is played.

In the same field of endeavor, Routman et al. teaches the device further comprising a recording and playback means on which a message can be recorded and means for actuating the recording and playback means upon the sound bomb being activated so that the message is played (Column 3 lines 18-23) for the benefit of providing the prerecord instruction during the case of emergency.

Therefore, it would have been obvious to a person of ordinary skill in the art at time the invention was made to include the device further comprising a recording and playback means on

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which a message can be recorded and means for actuating the recording and playback means upon the sound bomb being activated so that the message is played as shown in Routeman et al., in Griebell et al. device for the benefit of providing the prerecord instruction during the case of emergency.

13. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Griebell et al. (US Patent # 5,012,223) as applied to claim 9 above, and further in view of Yang et al. (US Patent # 4,602,245).

Consider claim 10, Griebell et al. teaches similar invention, except the alarm device, wherein the sound bomb comprises one or more piezo-electric diaphragms mounted in a Helmholtz resonator chamber.

In the same field of endeavor, Yang et al. teaches the device wherein the sound bomb comprises one or more piezo-electric diaphragms mounted in a Helmholtz resonator chamber (Column 1 lines 23-30) for the benefit of generating acoustic signal generator.

Therefore, it would have been obvious to a person of ordinary skill in the art at time the invention was made to include the sound bomb comprises one or more piezo-electric diaphragms mounted in a Helmholtz resonator chamber as shown in yang et al., in Griebell et al. device for the benefit of generating acoustic signal generator.

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Response to Arguments

14. Applicant's arguments, see Remarks, filed 8/8/2008, with respect to the rejection(s) of claim(s) 1-8 under 35 USC § 102 and 103 have been fully considered but are moot in view of the new ground(s) of rejection.

Conclusion

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JACK WANG whose telephone number is (571)272-1938. The examiner can normally be reached on M-F 8:00AM - 5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JKW/

/Daniel Wu/
Supervisory Patent Examiner, Art Unit 2612